

## SECTION II—REMARKS

Applicants thank the Examiner for a thorough review, and respectfully request reconsideration of the above referenced patent application for the following reasons:

### **Claims 1-27 rejected under 35 U.S.C. § 102(e)**

The PTO rejected claims 1-27 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,697,967 to Robertson (“Robertson”).

### **Claims 1-7 and 13-27**

With reference to amended independent claim 1 in particular, the PTO asserts that Robertson discloses “storing the entered **data, operations, and results** in the business layer format **within a test script**” as claimed by Applicants. Refer to the Office Action at page 3, ¶ 6. The PTO relies upon col. 5, lines 30-53 and Figure 3 for its assertion.

Figure 3 is wholly silent with regard to “**storing the entered data, operations, and results ... within a test script**” Robertson at col. 5, lines 30-53 states in pertinent part:

As each script is executed by the scripter, it generates corresponding commands which it sends to the appropriate test set or switch. ... The **output resulting from the execution** of these commands is **transmitted** via the message handler back to the scripter. The scripter then forwards this information ... to the **httpd user interface**.

As can be seen from the above passage, Robertson is silent with regard to “**storing the entered data, operations, and results ... within a test script**” as claimed by Applicants. Furthermore, Robertson actually teaches away from Applicants’ claim. Not only does Robertson fail to disclose “**storing the entered data, operations, and results ... within a test script**,” but

conversely states that “**the output resulting** from the execution … is transmitted … to the **httpd user interface**,” without any disclosure of having **stored the result** in the test script, or anywhere else for that matter.

Because Robertson fails to disclose each and every element in as complete detail as Applicants recite in independent claim 1 as amended herein, Applicants respectfully submit that claim 1 is in condition for allowance. Independent claims 13 and 20 as amended herein contain similar limitations to those of independent claim 1, and therefore are also in condition for allowance. Furthermore, dependent claims 2-7, 14-19, and 21-27 necessarily incorporate the limitations of the independent base claims upon which they depend, as well as adding limitations of their own, and therefore are also in condition for allowance.

Accordingly, Applicants respectfully request the PTO withdraw its rejection to claims 1-7 and 13-27 under 35 U.S.C. § 102(e).

#### Claims 8-12

With reference to amended independent claim 8 in particular, the PTO asserts that Robertson discloses “**transmitting business layer data** … to an instance of a business layer of an application” as claimed by applicants. Refer to the Office Action at page 5, ¶ 2. The PTO relies upon Figure 1 of Robertson for its assertion, with reference specifically to element 11 labeled “httpd.”

Figure 1, element 11 of Robertson appears to describe inputs and outputs between a “message handler” and the httpd connected via arrows labeled “23a” and “24a.” Importantly, Figure 1 of Robertson makes no mention whatsoever of “**transmitting business layer data** … to an instance of a business layer of an application” as applicants recite in amended claim 8. The text of Robertson corresponding specifically with element 11 states in pertinent part:

Httpd user interface 11 is configured to pass a connection string to connections language handler ... User interface 11 is also configured to transmit a test script to scripter 14.

As can be seen from the passage above, element 11 of Robertson's Figure 1, upon which the PTO relies "is configured to pass a **connection string** to [a] connections language handler."

As is well understood "**transmitting business layer data**," as claimed by Applicants is not the same thing as "**pass[ing] a connection string**" as disclosed by Robertson. The "**business layer data**" of claim 8 that Applicants recite is illustrated in Figure 6b at element 602 showing an example of "**business layer data and associated operations [being] transmitt[ed]** ... to an instance of a business layer of an application" as claimed by Applicants, further illustrating that "**a connection string**" is not the same thing as "**business layer data**."

Because Robertson fails to disclose each and every element in **as complete detail** as Applicants recite in independent claim 8 as amended herein, Applicants respectfully submit that claim 8 is in condition for allowance. Furthermore, dependent claims 9-12 necessarily incorporate the limitations of the independent base claim upon which they depend, as well as adding limitations of their own, and therefore are also in condition for allowance.

Accordingly, Applicants respectfully request the PTO withdraw its rejection to claims 8-12 under 35 U.S.C. § 102(e).

## CONCLUSION

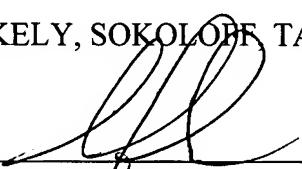
Given the above amendments and accompanying remarks, all claims pending in the application are in condition for allowance. If the undersigned attorney has overlooked subject matter in any of the cited references that is relevant to allowance of the claims, the Examiner is requested to specifically point out where such subject matter may be found. Further, if there are any informalities or questions that can be addressed via telephone, the Examiner is encouraged to contact the undersigned attorney at (503) 439-8778.

### Charge Deposit Account

Please charge our Deposit Account No. 02-2666 for any additional fee(s) that may be due in this matter, and please credit the same deposit account for any overpayment.

Respectfully submitted,

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